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February 23, 2010

VIA ECF

The Honorable John R. Tunheim
United States District Court
13E U.S. Courthouse, 300 S. Fourth Street
Minneapolis, MN 55415

Re: Insignia Systems, Inc. v. News America Marketing, In-Store, Inc. ., et al.
No. 04-4213 (JRT/AJB)

Dear Judge Tunheim:

This letter is sent in response to the February 22, 2010 letter from News America Marketing, In-Store, Inc. ("News"). In that letter, Mr. Wind raises scheduling conflicts with this Court's trial ready order. First is his trial commitment in the case of *PEMS Co. International, Inc. v. Temp-Air, Inc., et al.*, Case No. 27 CV 09-4174 pending in Hennepin County District Court before Judge Kaman. While the case is set for trial on April 5, 2010, Mr. Wind did not indicate an estimated length of the trial. Insignia's local counsel spoke in person with Judge Kaman's clerk who indicated that the case is the first matter on the court's calendar for April 5th and that the trial had been estimated to last approximately two days. Accordingly, Mr. Wind's trial should be completed days before the April 12th trial setting of the instant case.

As for Mr. Stone's upcoming trial in *Secure Call Management, Inc. v. MySpace, Inc.*, Case No. BC 375604, pending in the Superior Court of California, the on-line case docket indicates that on February 16, 2010 the plaintiff filed a motion for leave to file an amended complaint to add three new causes of action to a breach of contract case – for fraud, misrepresentation, and tortious breach of contract. Discovery in that matter is still ongoing and Secure Call Management concedes in this latest filing that additional discovery may be required in light of the amendment. This may well affect the May 5, 2010 trial date set in that case.

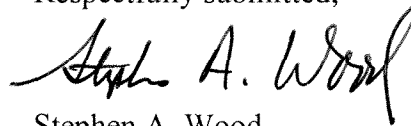
Aside from the foregoing, News is currently represented by three law firms in this action. No fewer than thirteen attorneys from these firms have appearances on file. It would

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arguably be difficult to set this case for trial if the Court were required to wait until all of News counsel, or even its lead counsel, were clear of any scheduling conflicts. Insignia requests that this court deny News' request to postpone the trial setting.

Respectfully submitted,

A handwritten signature in black ink that reads "Stephen A. Wood". The signature is written in a cursive style with a large, sweeping initial "S".

Stephen A. Wood

cc: Counsel of Record (via ECF)